

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: DEC 01 2015

UNITED STATES OF AMERICA

- v. -

DAVID SCHWARTZ,
a/k/a "David Schwarcz," and
ROBERT RIMBERG,

Defendants.

SEALED INDICTMENT

15 Cr.

15 CRIM 835

COUNT ONE

The Grand Jury charges:

1. From in or about 2009 through in or about 2011, in the Southern District of New York and elsewhere, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Sections 1956(a)(3)(A) and 1956(a)(3)(B) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, unlawfully, willfully and knowingly would and did conduct certain financial transactions involving property represented to be the proceeds of specified unlawful activity, to wit, narcotics trafficking, with the intent

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to promote the carrying of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(3)(A).

3. It was a further part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, unlawfully, willfully and knowingly would and did conduct certain financial transactions involving property represented to be the proceeds of specified unlawful activity, to wit, narcotics trafficking, with the intent to conceal and disguise the nature, the location, the source, the ownership and the control of property believed to be the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(3)(B).

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATION

4. As the result of committing the offenses alleged in Count One of this Indictment, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real and personal, involved in the offenses alleged in Count One of this Indictment, or any property traceable to such property.

SUBSTITUTE ASSET PROVISION

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982;
Title 21, United States Code, Section 853.)


FOREPERSON


PREET BHARARA
United States Attorney

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INDICTMENT

15 Cr.

(21 U.S.C. §§ 1956(h).)

PREET BHARARA
United States Attorney.

A TRUE BILL

Foreperson.

Yolanda Ocasio

12/1/15 Filed Sealed Indictments
Filed Arrest warrants
On Judge Netburn